

REMARKS

Claims 21-24, 26-30 and 33 are currently pending. Claim 33 is amended.

1. The Rejection Under 35 U.S.C. §112, Second Paragraph

Claim 33 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically claim 33 is vague and indefinite in the reliance on canceled claims 25, 31 and 32. Applicants have amended claim 33 to no longer depend upon canceled claims 25, 31 and 32. Accordingly, Applicants respectfully submit that the pending claims satisfy the requirement of 35 U.S.C. § 112, second paragraph and request that this ground of rejection be withdrawn.

2. The Nonstatutory Obviousness-type Double Patenting Should Be Withdrawn

Claim 33 is rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 13 of U.S. Patent No. 6,908,898 in view of Lemischka (U.S. 5,185,438).

In response, Applicants submit herewith a Terminal Disclaimer. Accordingly, Applicants respectfully that the non-statutory obviousness-type double patenting rejection be withdrawn.

CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance, which action is respectfully requested. The Examiner is invited to contact Applicants' representative to discuss any issue that would expedite allowance of the subject application.

Respectfully submitted,

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